

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/765,142

Filing Date: January 18, 2001

Applicant: Sayre et al.

Entitled: METHOD OF MAKING MICROALGAL-BASED ANIMAL FOODSTUFF  
SUPPLEMENTS, MICROALGAL-SUPPLEMENTED ANIMAL FOODSTUFFS  
AND METHOD OF ANIMAL NUTRITION

Commissioner for Patents  
Washington, D.C. 20231



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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 (A)

Date of Deposit: ~~June~~ July 2, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

*Sheri L. Burke*  
Sheri L. Burke

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 CFR §§ 1.97-1.98**

As authorized and encouraged under 37 CFR §§ 1.97-1.98 and the provisions of MPEP §§ 609 and 707.05 (b), Applicant(s) submits herewith certain patent references, publications and/or other information which the Patent and Trademark Office may wish to consider in examining the above-identified patent application. The references and information are listed below and on attached form PTO-1449.

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12-4-02

In accordance with 37 CFR Section 1.97(c)(2) and 1.97(e)(1), Applicant certifies that the items of information contained in the Supplemental Information Disclosure Statement was cited in a communication mailed November 14, 2000 from the PCT office in a counterpart foreign application and therefore no fee is required.

**U.S. PATENTS**

U.S. PATENT NUMBER	INVENTOR(S)
5,670,191	Cummings et al.

**FOREIGN PATENT DOCUMENTS**

COUNTRY	PATENT NO.	INVENTOR(S)
PCT	WO 99/60838	Sayre et al.

**OTHER DOCUMENTS**

1. CHANEY et al., Phytoremediation of Soil Metals, Current Opinion in Biotechnology, 1997, Vol. 8, pages 279-284.
2. MISRA et al., Heavy Metal Tolerant Transgenic Brassica Napus L. and Nicotiana Tabacum L. Plants, Theor. Appl. Genet. 1989, Vol. 78, pages 161-168.
3. BROWN et al., Introduction of Exogenous DNA into Chlamydomonas Reinhardtii by Electroporation, Molecular and Cellular Biology, 1991, Vol. 11, No. 4, pages 2328-2332.

A copy of each document is included for the express purpose of providing the Patent and Trademark Office with ample opportunity to evaluate the same and arrive at an independent assessment of the materiality of each, if any, to the examination of the above-identified application.

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In reviewing the enclosed copies of the above documents, the Examiner is instructed to ignore any underscoring or highlighting which may have been done because such markings may or may not have any relationship to the subject matter of the above-identified application. The copies being submitted with this Information Disclosure Statement are the best copies available at this time.

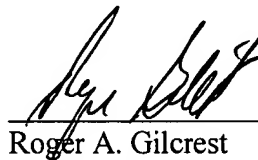
The identification of any document herein is not intended to be, and should not be understood as being, an admission that each such document, in fact, constitutes "prior art" within the meaning of applicable law.

Applicant(s) respectfully requests that the documents cited herein be made of record in the normal manner and that such documents appear on the printed patent as being considered and made of record.

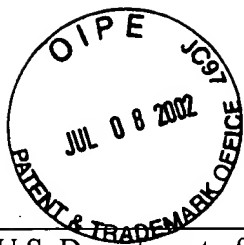
Respectfully submitted,

Date: June 27, 2002

By:



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FORM PTO-1449 TO BE FILED WITH  
INFORMATION DISCLOSURE STATEMENT

U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No. OSU1159-139 Serial No. 09/765,992

INFORMATION  
DISCLOSURE STATEMENT  
BY APPLICANTS

Sayre et al.

Applicant

January 18, 2001

Filing Date

1761

Group Art Unit

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Examiner's name

U.S. PATENT DOCUMENTS

Examiner's Initial	Document Number	Date	Name	Class/Sub-class
	5,670,191	09/23/1997	Cummings et al.	426/2

FOREIGN PATENT DOCUMENTS

Examiner's Initial	Document Number	Date	Country/Name	Translation? yes/no
	WO 99/60838	12/09/1999	PCT	N/A

OTHER DOCUMENTS

1. CHANEY et al., Phytoremediation of Soil Metals, Current Opinion in Biotechnology, 1997, Vol. 8, pages 279-284.
2. MISRA et al., Heavy Metal Tolerant Transgenic Brassica Napus L. and Nicotiana Tabacum L. Plants, Theor. Appl. Genet. 1989, Vol. 78, pages 161-168.

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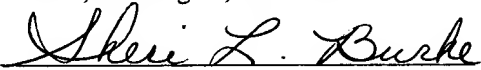
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3. BROWN et al., Introduction of Exogenous DNA into Chlamydomonas Reinhardtii by Electroporation, Molecular and Cellular Biology, 1991, Vol. 11, No. 4, pages 2328-2332.

Examiner	Date Considered
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

The identification of any document herein is not intended to be, and should not be understood as being, an admission that each such document, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given document may have a later effective date than at first seems apparent or the document may have an effective date which can be antedated. The "prior art" status of any document is a matter to be resolved during prosecution.

<p align="center"><b>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 (A)</b></p> <p align="right">Date of Deposit: <u>July 2</u>, 2002</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.</p> <p align="right"> Sheri L. Burke</p>
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